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**TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**Docket Number (Optional)
FOUND-0057 (434103-048)

In re Application of: Philip Kwan

Application No.: 10/631,898

Filed: August 1, 2003

For: System, Method And Apparatus For Providing Multiple Access Modes In A Data Communications Network

The owner, Foundry Networks, LLC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/458,628, filed on June 11, 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 42,125

/John P. Schaub/

Signature

September 16, 2010

Date

John P. Schaub

Typed or printed name

650-320-7700

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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